

EXHIBIT

C

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO
LAS CRUCES DIVISION

JUAN CARLOS LEON-HERRERA
Plaintiff

v.

**BAR-S FOODS CO D/B/A SIGMA FOODS
AND JORGE ZUNIGA ISAIS D/B/A RVJ
TRANSPORT**
Defendant

§
§
§
§ CIVIL ACTION NO. 2:24-cv-00153
§
§ JURY TRIAL DEMANDED
§
§

**PLAINTIFF JUAN CARLOS LEON-HERRERA'S RESPONSES AND/OR
OBJECTIONS TO DEFENDANT JORGE ZUNIGA ISAIS D/B/A RVJ TRANSPORT'S
REQUEST FOR PRODUCTION**

**TO: DEFENDANT, JORGE ZUNIGA ISAIS D/B/A RVJ TRANSPORT, JONES, SKELTON
& HOCHIULI, P.L.C., by and through their attorneys of record, Raul P.
Sedillo and Sky Willard, 8220 San Pedro Drive NE, Suite 420,
Albuquerque, New Mexico 87113.**

COMES NOW, **JUAN CARLOS LEON-HERRERA**, PLAINTIFF in the above-entitled
and numbered cause, and pursuant to FEDERAL RULES OF CIVIL PROCEDURE, files his
Responses and/or Objections to JORGE ZUNGIA IDAIS D/B/A RVJ TRANSPORT'S REQUEST
FOR PRODUCTION.

RESPECTFULLY SUBMITTED,

DESOUSA INJURY LAWYERS
4047 NACO PERRIN BLVD.
SAN ANTONIO, TEXAS 78217
210/ 714-4215 – PHONE
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BY: /S/ Jorge L. Alvarez
JORGE L. ALVAREZ
STATE BAR NO.: 24115478
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BY: /S/ Jeffery E. Pratt
JEFFERY PRATT
STATE BAR No.: 16239980
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ATTORNEYS FOR PLAINTIFF

Certificate of Service

This will certify that a true and correct copy of the above and foregoing instrument was duly served in accordance with the FEDERAL RULES OF CIVIL PROCEDURE on October 24, 2024 upon the following:

VIA CM/ECF NOTIFICATION SYSTEM AND/OR VIA E-MAIL:

JONES, SKELTON & HOCHULI, P.L.C.
8220 San Pedro Drive NE, Suite 420
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Raul P. Sedillo
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*ATTORNEY FOR DEFENDANT,
JORGE ZUNIGA ISAIS D/B/A
RVJ TRANSPORT*

VIA CM/ECF NOTIFICATION SYSTEM AND/OR VIA E-MAIL:

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*ATTORNEY FOR DEFENDANT,
SYGMA NETWORK, INC.*

/S/ JORGE L. ALVAREZ
JORGE L. ALVAREZ

**PLAINTIFF JUAN CARLOS LEON-HERRERA'S RESPONSES
AND/OR OBJECTIONS TO DEFENDANT JORGE ZUNIGA ISAIS D/B/A
RVJ TRANSPORT'S REQUEST FOR PRODUCTION**

**All documents produced in response to the below Requests for
Production can be obtained in the link below.**

LEON-HERRERA, Juan Carlos - Produced to Def 10.24.2024

REQUEST FOR PRODUCTION NO. 1: Please produce any documents upon which you relied or referred to in forming or answering *Defendant Jorge Zuniga Isais d/b/a RVJ Transport's First Set of Interrogatories* to you.

RESPONSE: Plaintiff did not rely on any documentation while answering the interrogatories.

REQUEST FOR PRODUCTION NO. 2: Please provide all bills, records, notes, reports, and any and all other documents pertaining to any medical treatment you allege you received as a result of the incident alleged in your Complaint.

RESPONSE: Plaintiff objects that this request is overly broad and not sufficiently tailored for Plaintiff ascertain the exact documents Defendant seeks and is so broad that it constitutes a fishing expedition.

Subject to and not waving the above objection, please see the attached billing and medical records and bates numbered "*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244-001279*."

REQUEST FOR PRODUCTION NO. 3: Please provide all bills, records, notes, reports, and any and all other documents pertaining to any emotional or psychological treatment you allege you received as a result of the incident alleged in your Complaint.

RESPONSE: Plaintiff objects that this request is overly broad and not sufficiently tailored for Plaintiff ascertain the exact documents Defendant seeks and is so broad that it constitutes a fishing expedition.

Subject to and not waving the above objection, please see the attached billing and medical records and bates numbered “*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244-001279*.”

REQUEST FOR PRODUCTION NO. 4: Please produce all items, documents, or records whatsoever substantiating your claim of lost earning capacity and future lost earning capacity.

RESPONSE: Please see the attached pay stubs and bates numbered “*LEON-HERRERA, Juan Carlos, 0001280-001293*.”

REQUEST FOR PRODUCTION NO. 5: Please produce all items, documents, or records whatsoever substantiating your claim that you were prevented from working as a result of the January 7, 2024 subject accident.

RESPONSE: Please see the attached billing and medical records and bates numbered “*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244-001279*.” Further, please see the photographs and bates numbered “*LEON-HERRERA, Juan Carlos, 000078-000081; 001297-001302*.”

REQUEST FOR PRODUCTION NO. 6: Please produce all items, documents, or records whatsoever substantiating your claim of past and future impairment.

RESPONSE: Please see the attached pay stubs and bates numbered “*LEON-HERRERA, Juan Carlos, 001280-001293*.”

REQUEST FOR PRODUCTION NO. 7: Please produce all items, documents, or records whatsoever substantiating your claim of past and future disfigurement.

RESPONSE: Please see the attached billing and medical records and bates numbered “*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244*”

001279" and the attached photographs and bates numbered "*LEON-HERRERA, Juan Carlos, 000078-000081; 001297-001302*."

REQUEST FOR PRODUCTION NO. 8: Please produce all items, documents, or records whatsoever substantiating your claim that you suffered bodily injuries as a result of the January 7, 2024 subject accident.

RESPONSE: Please see the attached billing and medical records and bates numbered "*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244-001279*" and the attached photographs and bates numbered "*LEON-HERRERA, Juan Carlos, 000078-000081; 001297-001302*."

REQUEST FOR PRODUCTION NO. 9: Please produce all items substantiating your claim of loss of enjoyment of life as alleged in your Complaint.

RESPONSE: Please see the attached billing and medical records and bates numbered "*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244-001279*" and the attached photographs and bates numbered "*LEON-HERRERA, Juan Carlos, 000078-000081; 001297-001302*."

REQUEST FOR PRODUCTION NO. 10: Please produce all items substantiating your claim for pain and suffering as alleged in your Complaint.

RESPONSE: Please see the attached billing and medical records and bates numbered "*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244-001279*" and the attached photographs and bates numbered "*LEON-HERRERA, Juan Carlos, 000078-000081; 001297-001302*."

REQUEST FOR PRODUCTION NO. 11: Please produce all photographs, imaging, videos, or other items depicting or evidencing the injuries you claimed to have sustained in the accident in this case.

RESPONSE: Please see the attached photographs and bates numbered "*LEON-HERRERA, Juan Carlos, 000078-000081; 001297-001302*."

REQUEST FOR PRODUCTION NO. 12: Please provide all tangible evidence, of whatever type or nature, including notes, estimates, receipts, memoranda, documents, letters, correspondence, expert opinions, or other materials that in any way substantiates or establishes your claims for damages in this matter.

RESPONSE: Please see the attached billing and medical records and bates numbered “*LEON-HERRERA, Juan Carlos, 000071-000077; 000460-001199; 001244-001279.*”

REQUEST FOR PRODUCTION NO. 13: Please provide all federal and state income tax returns, including all schedules and attachments thereto, filed by you, for the years 2019 to the present date.

RESPONSE: Plaintiff has no documents responsive to this request.

REQUEST FOR PRODUCTION NO. 14: Please provide documents reflecting, relating to, and/or regarding your self-employment or employment with any person and/or entity on either a full or part-time basis during the last ten years. Please include attendance records, wage or salary information, payroll checks or pay stubs, W-2 forms, income tax returns, and all books and records of any business that you operated.

RESPONSE: Please see the attached pay stubs and bates numbered “*LEON-HERRERA, Juan Carlos, 00001280-001293.*”

REQUEST FOR PRODUCTION NO. 15: Please produce a copy of any and all statements, incident reports, investigation reports, police reports, or other such documents referring to or regarding the accident in this case.

RESPONSE: Please see the attached police report, investigations documents and videos and bates numbered “*LEON-HERRERA, Juan Carlos, 000001-000069.*”

REQUEST FOR PRODUCTION NO. 16: Please produce any and all statements by any of the parties or eyewitnesses to the accident at issue in your Complaint.

RESPONSE: Please see the attached police report and bates numbered “*LEON-HERRERA, Juan Carlos, 000001-000022*.”

REQUEST FOR PRODUCTION NO. 17: Please provide all statements from any person, whether preserved in writing or recorded by tape or by some other form of electronic media, including but not limited to statements made on social media, relating to any facts involved in this incident.

RESPONSE: Please see the attached police report and bates numbered “*LEON-HERRERA, Juan Carlos, 000001-000022*.”

REQUEST FOR PRODUCTION NO. 18: Please execute and return the enclosed release for your employment records from the years 2019 to the present.

RESPONSE: Plaintiff objects to this request and producing this authorization as it is not limited in time and scope. Further, Plaintiff objects to this request as it is not relevant, may include private and privileged information.

REQUEST FOR PRODUCTION NO. 19: Please execute and return the enclosed release for your cellular telephone records from January 5, 2024 to January 8, 2024.

RESPONSE: Plaintiff objects to this request and producing the authorization as it is not limited in time and scope. Further, Plaintiff objects to this request as it is an invasion of privacy.

REQUEST FOR PRODUCTION NO. 20: Please execute and return the enclosed release for your Social Security Earnings records from the years 2019 to the present.

RESPONSE: Plaintiff objects the authorization at issue as being beyond the permissible scope of discovery pursuant to Texas Rule of Civil Procedure 192.3(a)(b). The authorizations would not only allow Defendant to obtain documentary evidence, but would further permit Defendant, counsel, agents, employees, and/or representative to engage in ex parte communications with the parties to whom the authorization is submitted. Such a request is improper under Texas Rule of Civil Procedure 192.3(a)(b), and would violate the privacy interests and privileges maintained by Plaintiff in any information that could be divulged pursuant to the authorization.

REQUEST FOR PRODUCTION NO. 21: Please provide all present and past contracts or agreements between Plaintiff, medical providers, and/or any individual or entity concerning financing or payments for Plaintiff's medical treatments as a result the injuries alleged in the Complaint.

RESPONSE: Plaintiff objects to this request as it constitutes an unwarranted invasion of privacy. Plaintiff further objects to this request as it seeks information that is irrelevant and not likely to lead to this discovery of admissible evidence. Plaintiff objects to the extent that this information is protected by the work-product doctrine and attorney-client privilege. Specifically, the only issue relevant to medical billing is whether the amount paid or owed is reasonable. How or when the medical provider receives payment is not relevant to whether the paid or owed amount is reasonable and also constitutes a collateral source.

REQUEST FOR PRODUCTION NO. 22: Please provide each and every document you may introduce as an exhibit at the trial of this matter.

RESPONSE: Plaintiff objects that this request is overly broad and not sufficiently tailored for Plaintiff ascertain the exact documents Defendant seeks and is so broad that it constitutes a fishing expedition.

Subject to and without waiving the foregoing objections, please see all documents produced thus far and bates numbered “*LEON-HERRERA, Juan Carlos, 000001-001302*.”

REQUEST FOR PRODUCTION NO. 23: Please provide the expert file, including all documents reviewed by, relied upon or created by your expert, for any expert witness you may call at the trial of this matter.

RESPONSE: Plaintiff has no documents responsive to this request at this time.

REQUEST FOR PRODUCTION NO. 24: Please provide a copy of every Department of Transportation Medical Examination Report Form and all examination documents associated with the examination, including each Medical Examiner’s Certificate, for the last 10 years.

RESPONSE: Plaintiff has no documents responsive to this request at this time.

REQUEST FOR PRODUCTION NO. 25: Please provide a copy of all text messages between you and Jorge Zuniga from the beginning of your employment with RVJ Transport to the present time.

RESPONSE: Plaintiff objects to this request as overly broad. Plaintiff further objects to the extent the requested information is equally available to the requesting party.

Subject to and without waiving the foregoing objections, Plaintiff’s phone was lost in the collision.